

First Reading: _____
Second Reading: _____

2016-083
Chris Maughon/Peggy J. Holder
District No. 5
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4155 RANDOLPH CIRCLE, MORE PARTICULARLY DESCRIBED HEREIN, FROM A-1 URBAN AGRICULTURAL ZONE TO M-2 LIGHT INDUSTRIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended so as to rezone property located at 4155 Randolph Circle, more particularly described herein:

Part of an unplatted tract of land located at 4155 Randolph Circle, more particularly described beginning at the property line parallel with S. Access Road and extending in a northwesterly direction six hundred fifty feet (650') along Benton Drive; being part the property described as Tract 1 in Deed Book 2632, Page 752, ROHC. Tax Map No. 128E-A-005 (part).

and as shown on the maps attached hereto and made a part hereof by reference, from A-1 Urban Agricultural Zone to M-2 Light Industrial Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved subject to only that portion of Parcel No. 128E-A-005 that is within six hundred fifty (650') feet from the South Access Road right-of-way as measured along Benton Drive.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading: _____

CHAIRPERSON

APPROVED: ____ DISAPPROVED: ____

MAYOR

/mem

First Reading: _____
Second Reading: _____

2016-083
Chris Maughon/Peggy J. Holder
District No. 5
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 4155 RANDOLPH CIRCLE, MORE PARTICULARLY DESCRIBED HEREIN, FROM A-1 URBAN AGRICULTURAL ZONE TO M-1 MANUFACTURING ZONE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended so as to rezone property located at 4155 Randolph Circle, more particularly described herein:

Part of an unplatted tract of land located at 4155 Randolph Circle, more particularly described beginning at the property line parallel with S. Access Road and extending in a northwesterly direction six hundred fifty feet (650') along Benton Drive; being part the property described as Tract 1 in Deed Book 2632, Page 752, ROHC. Tax Map No. 128E-A-005 (part).

and as shown on the maps attached hereto and made a part hereof by reference, from A-1 Urban Agricultural Zone to M-1 Manufacturing Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two
(2) weeks from and after its passage.

Passed on second and final reading: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/mem

2016-083 City of Chattanooga
May 9, 2016

RESOLUTION

WHEREAS, Chris Maughon/Peggy J. Holder petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the rezoning from A-1 Urban Agricultural Zone to M-1 Manufacturing Zone, property located at 4155 Randolph Circle.

Part of an unplatted tract of land located at 4155 Randolph Circle, more particularly described beginning at the property line parallel with S. Access Road and extending in a northwesterly direction six hundred fifty feet (650') along Benton Drive; being part the property described as Tract 1 in Deed Book 2632, Page 752, ROHC. Tax Map 128E-A-005 (part) as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on May 9, 2016,

AND WHEREAS, the Planning Commission heard and considered all statements regarding the petition,

AND WHEREAS, no one was present in opposition to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development,

AND WHEREAS, the Planning Commission has determined that the proposed use is compatible with surrounding uses.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on May 9, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition be denied for the M-1 Manufacturing Zone request and recommended approval of an M-2 Light Industrial Zone on only that portion of parcel 128E-A-005 that is within 650 feet from the South Access Road right-of-way as measured along Benton Drive.

Respectfully submitted,



John Bridger
Secretary

ZONING APPLICATION FORM

| | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------------------------------|-----------------------------------------------|
| CASE NUMBER: | 2016-083 | Date Submitted: 3-29-2016 | |
| (Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed) | | | |
| 1 Applicant Request | | | |
| Zoning | From: A-1 | To: M-1 | |
| Total Acres in request area: 6.8 | | | |
| 2 Property Information | | | |
| Property Address: | 4155 Randolph Circle | | |
| Property Tax Map Number(s): | 128E-A-005 | | |
| 3 Proposed Development | | | |
| Reason for Request and/or Proposed Use: | Light Manufacturing, Warehouse, Sales | | |
| 4 Site Characteristics | | | |
| Current Zoning: | A-1 | | |
| Current Use: | Vacant | | |
| Adjacent Uses: | Truck Ports, Church, Truck Repair, 4 x 4 Ports | | |
| 5 Applicant Information | | | |
| All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf. | | | |
| Name: Chris Maughon | | Address: 7627 Watercrest Drive | |
| Check one: | <input type="checkbox"/> I am the property owner | <input checked="" type="checkbox"/> I am not the property owner | |
| City: Harrison | State: TN | Zip Code: 37341 | Email: feltonslutch@yahoo.com |
| Phone 1: 423-432-7546 | Phone 2: 423-266-8858 | Phone 3: 423-344-7546 | Fax: 423-266-7035 |
| 6 Property Owner Information (if not applicant) | | | |
| Name: Peggy J Holder | | Phone: 423-478-5868 | |
| Address: 4200 Randolph Circle Harrison TN 37341 (Contact Son Steve Holder Power of Attorney) | | | |
| Office Use Only: | | | |
| Planning District: 10 | | Neighborhood: CNAC | |
| Hamilton Co. Comm. District: 4 | Chatt. Council District: 5 | | Other Municipality: |
| Staff Rec: | PC Action/Date: | Legislative Action/Date/Ordinance: | |
| Checklist | | | |
| <input checked="" type="checkbox"/> Application Complete | <input checked="" type="checkbox"/> Ownership Verification | <input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions | |
| <input checked="" type="checkbox"/> Site Plan, if required | <input checked="" type="checkbox"/> Total Acres to be considered: 6.8 | <input checked="" type="checkbox"/> Deeds | <input type="checkbox"/> Plats, if applicable |
| Deed Book(s): 2632-752 | | | |
| Plat Book/Page: N/A | | <input checked="" type="checkbox"/> Notice Signs | Number of Notice Signs: 4 |
| <input checked="" type="checkbox"/> Filing Fee: 705.00 | <input type="checkbox"/> Cash | <input checked="" type="checkbox"/> Check | Check Number: 4677 |
| Planning Commission meeting date: May 9 th , 2016 | | Application processed by: Marcia Parker | |

PLANNING COMMISSION CASE REPORT

Case Number: 2016-083

PC Meeting Date: 05-09-16

Applicant Request**Rezone from A-1 Urban Agricultural Zone to M-1 Manufacturing Zone**

Property Location: 4155 Randolph Circle

Property Owner: Peggy J. Holder

Applicant: Chris Maughon

Project Description

- Proposal: Develop 6.8-acre site with light manufacturing, warehouse, and sales uses.
- Proposed Access: South Access Road.
- Proposed Development Form: The applicant's site plan shows a 1-story 43,750 square foot building with a parking lot and a trailer sales lot. The site plan also shows the intent to keep the existing tree line along Benton Drive.
- Proposed Density: No applicable. No residential use is proposed nor is residential use permitted in the requested M-1 Manufacturing Zone.

Site Analysis**Site Description**

- Location: The 6.8-acre site is located on the west side of South Access Road approximately 1,000 feet north of Bonny Oaks Drive. A portion of the site is located within the 100-Year Flood Area as identified by the FEMA layer on the Hamilton County GIS online map
- Current Access: The entire site has access to South Access Road, Randolph Circle, Benton Drive, and Harrison Pike.
- Current Development form: No definite form established. There is a mixture of residential and non-residential building heights and sizes.
- Current Land Uses: North: Single-family homes, retail, truck/equipment display and repair. East: Church. South: Single-family homes, office, retail, event facility, truck/equipment display and repair. West: Townhomes.
- Current Density: Randolph Circle- 0.8 dwelling units per acre (2 homes). Benton Drive- 1.3 dwelling units per acre (2 homes). Maple Terrace Lane- 12 dwelling units per acre (9 townhomes).

Zoning History

- The site is currently zoned A-1 Urban Agriculture.
- The site was rezoned from R-1 and R-2 Residential Zone to A-1 Urban Agriculture Zine in 2011 (Ordinance 12498).
- Properties to the north are zoned R-1 Residential. Properties to the east are zoned R-2 Residential and M-1 Manufacturing. Properties to the south are zoned R-1 Residential, C-2 Convenience Commercial, and R-4 Special Zone. Properties to the west are zoned RTZ Residential Townhouse Zero Lot Line Zone.
- The nearest M-1 Manufacturing Zone (same as the request) is across the street at 4060 South Access Road.

Plans/Policies/Regulations

- The Highway 58 Community Land Use Plan (adopted by City Council in 2002) recommends Business and Technology uses for this area. The Plan states "This designation accommodates park or campus-like environments for corporate headquarters, research and development facilities, and offices. Permitted uses include incubator-research facilities, offices, testing, repairing, re-packaging, light manufacturing, assembly, warehousing, and wholesaling."
- The M-1 Manufacturing Zone permits most types of non-residential uses, but does not permit residential uses.

PLANNING COMMISSION CASE REPORT

- The M-2 Manufacturing Zone permits most types of non-residential uses, but does limit out the most noxious industrial uses.
- Development in the 100-Year Flood Area is regulated by Article V, Division 23 Floodway Zone and Division 24 Flood Hazard Zone within the City of Chattanooga Zoning Ordinance. Contact the City of Chattanooga Land Development Office at 423-643-5880 with questions.

Key Findings

- The M-1 zone request is not supported by the adopted Land Use Plan for the area which recommends business and technology uses. M-2 zoning is more consistent with the plan policy description since M-2 does not allow heavy industrial activities, but allows warehousing and light manufacturing.
- The proposed use is compatible with surrounding uses on the eastern edge of the property due to the surrounding uses at this point.
- The proposed use is not compatible with surrounding uses on the western edge of the property due to the surrounding uses at this location.
- The proposal is consistent with the development form of South Access Road, but less consistent with the development form of Randolph Circle and the western section of Benton Drive.
- The proposed structure does not raise concerns regarding location, lighting, or height.
- The proposal would not be an extension of an existing zone, though there is M-1 Manufacturing Zone nearby in the area.
- The applicant's site plan shows only the eastern half of the site being needed for the proposed uses. This area of proposed use appears to be located just within the edge of the 100-year flood area and within 630 feet from the South Access Road right-of-way (as measured along Benton Drive).

Staff Recommendation

- Deny M-1 Manufacturing Zone and approve M-2 Manufacturing Zone on only that portion of parcel 128E-A-005 that is within 630 feet from the South Access Road right-of-way as measured along Benton Drive.



2016-083 Rezoning from A-1 to M-1

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2016-083: Deny M-1 Manufacturing Zone; Approve M-2 Light Industrial Zone on only that portion of parcel 128E-A-005 that is within 650 feet from the South Access Road right-of-way as measured along Benton Drive.

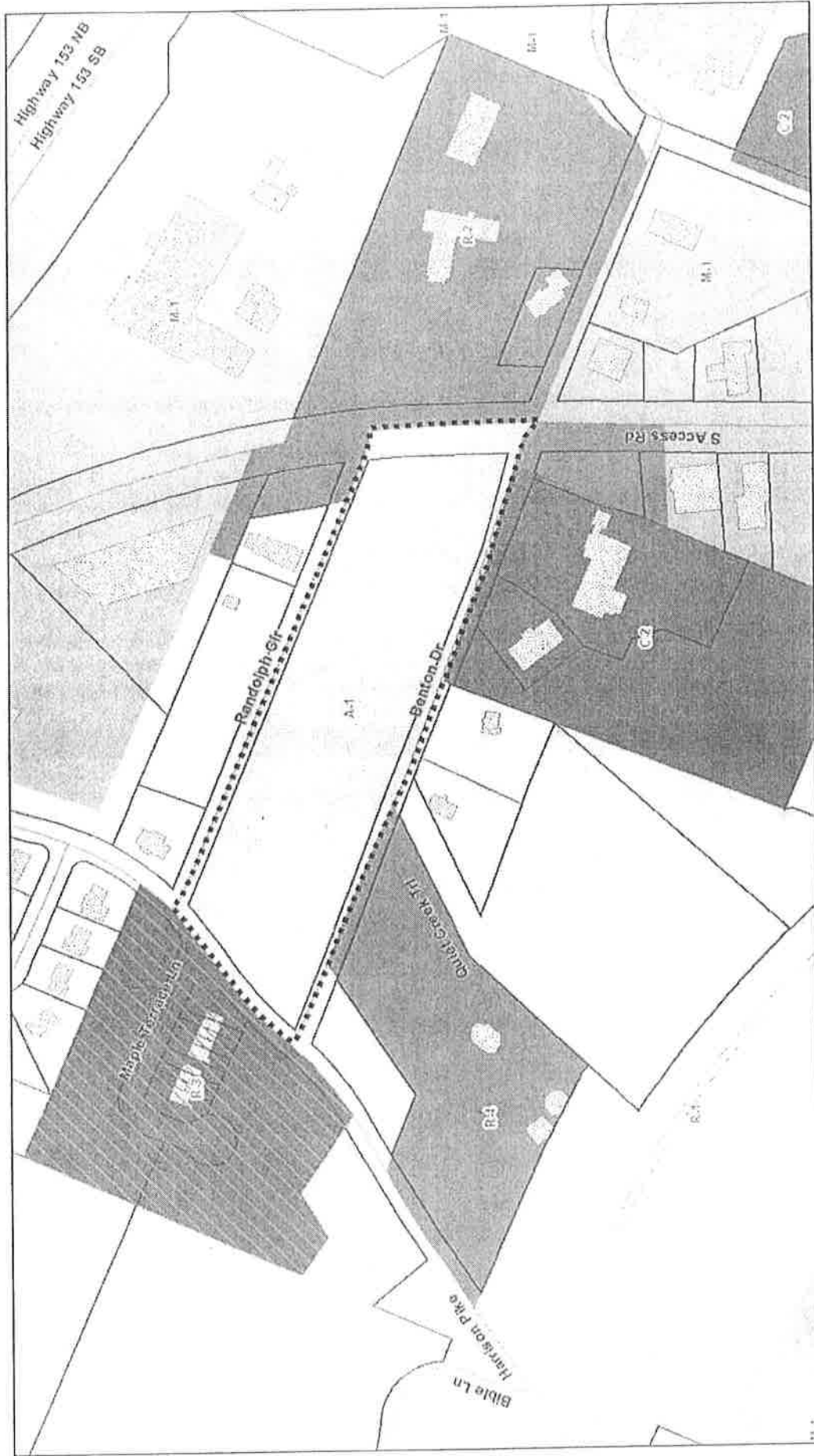


334 ft



Chattanooga Hamilton County Regional Planning Agency





2016-083 Rezoning from A-1 to M-1



268 ft



Chattanooga Hamilton County Regional Planning Agency

EXHIBIT ZONE

Chattanooga, Hamilton County
Regional Planning Agency
2000 North 55th Street

[illegible]

| | |
|------------------|-----------|
| BUILDING SUMMARY | |
| OFFICE----- | 3,000 SF |
| WAREHOUSE---- | 14,125 SF |
| MANUFACT----- | 14,125 SF |
| TOTAL ----- | 31,250 SF |

ASSUME 15 TOTAL WORKERS
BASED ON INFORMATION FROM
OWNER. PROVIDE 15 ADDITIONAL
SPACES BASED ON 3000 SF OFC

NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

2016-066 David Hudson for McCallie Commons/Tatiana Zadora, S.S. Moharrerri, A.M. Moharrerri, and Mack Wiggins for WW Group. 1006, 1008, 1010 Oak Street and 657 O'Neal Street, from R-3 Residential Zone to C-3 Central Business Zone, subject to certain conditions.

2016-070 Southeast Medical Properties, II, LLC. 7127 Igou Gap Road, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied:

2016-077 Jr. Food Stores, Inc. 101 and 103 Glendale Drive and two unaddressed properties in the 1100 block of Signal Mountain Road, from R-1 Residential Zone and C-2 Convenience Commercial Zone to C-2 Convenience Commercial Zone.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied for the M-1 Manufacturing Zone and approval is requested of the M-2 Light Industrial Zone:

2016-077 Chris Maughon/Peggy J. Holder. 4155 Randolph Circle, from A-1 Urban Agricultural Zone to M-1 Manufacturing Zone, only that portion of 128E-A-005 that is within six hundred (650') feet from the South Access Road right-of-way as measured along Benton Drive.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permits be approved:

2016-069 Pratt & Associates. 5706 and 5650 Cassandra Smith Road and Phases 1 through 3 of Amberbrook Gardens, for a Residential Planned Unit Development.

2016-078 Pratt & Associates/Robert D. & Sandra S. Purcell. 660 Julian Road, for a Residential Planned Unit Development.

2016-079 The Baylor School. 100 block of Baylor School Road,
for an Institutional Planned Unit Development.

5. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following amendments be made to the Chattanooga City Code, Part II, Chapter 38, known as the Chattanooga Zoning Ordinance by:

- (a) **Deleting** Article V, Division 18, C-7 North Shore Commercial/Mixed Use Zone in its entirety.
- (b) **Adding** a new Article XVI, Downtown Form-Based per the digital copy on the website online at www.chcrpa.org.
- (c) **Adding** a new Item (24) of Article III, Section 38-568, Powers, etc., of board; hearings.
- (d) **Adding** Section 38-530 of Article VI, Division 2, Other Special Exceptions.

6. The Chattanooga-Hamilton County Regional Planning Commission has recommended that a petition to rezone be approved for specific properties within the Downtown Chattanooga Form-Based Code Area Boundary, more particularly described in the Downtown Zoning Study attached to the proposed ordinance and made a part by reference from M-1 Manufacturing Zone, C-3 Central Business Zone, C-7 North Shore Commercial/Mixed Use Zone, R-3 Residential Zone, C-2 Convenience Commercial Zone, R-4 Special Zone, R-1 Residential Zone, R-T/Z Residential Townhouse/Zero Lot Line Zone, RT-1 Residential Townhouse Zone, UGC Urban General Commercial Zone, O-1 Office Zone, and M-2 Light Industrial Zone to the following zones within the Downtown Chattanooga Form-Based Code: D-RM Residential Multi-Unit Zone, D-CX Commercial Mixed Use Zone, D-SH Shopfront Mixed Use Zone, D-CIV Civic Zone, D-PK Parks and Open Space Zone, R-RF Riverfront Zone, R-RV River View Zone, R-CIV Civic Zone, R-PK Parks and Open Space Zone, U-RD Residential Detached Zone, U-RA Residential Attached Zone, U-RM Residential Multi-Unit Zone, U-CX Commercial Mixed Use Zone, U-SH Shopfront Mixed Use Zone, U-IX Industrial Mixed Use Zone, U-CC Commercial Corridor, U-IN Industrial Zone, U-CIV Civic Zone, U-PK Parks and Open Space Zone, E-RD Residential Detached Zone, E-RA Residential Attached Zone, E-RM Residential Multi-Unit Zone, E-CX Commercial Mixed Use, E-SH Shopfront Mixed Use Zone, E-IX Industrial Mixed Use Zone, E-IN Industrial Zone, E-CIV Civic Zone, and E-PK Parks and Open Space Zone.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

June 14, 2016

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the ____ day of _____, 2016.

Nicole Gwyn
Clerk to the City Council